

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

	X	
NCR CORPORATION,  Plaintiff,  vs.  ABERCROMBIE & FITCH CO.,  Defendant.	: : : : :	No. 2:06-cv-00919 (EAS)(NMK)  <b>NOTICE OF DISMISSAL WITH PREJUDICE</b>
	X	

**Notice of Dismissal With Prejudice**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiff NCR Corporation, by its undersigned counsel, hereby dismisses the above captioned action against Defendant Abercrombie & Fitch Co. with prejudice.

Dated: January 10, 2007	Respectfully submitted,  <u>/s/ John D. Luken</u> John D. Luken (0013326) (Trial Attorney) Joshua A. Lorentz (0074136) DINSMORE & SHOHL LLP 255 E. 5th Street, Suite 1900 Cincinnati, Ohio 45202 Tel: 513-977-8200 Fax: 513-977-8141  Michael J. King (0072597) DINSMORE & SHOHL LLP 175 South Third Street 10th Floor Columbus, Ohio 43215 Tel: (614) 628-6880 Fax: (614) 628-6890  Attorneys for Plaintiff
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